

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

IN RE: DAVID LARAY ROBERSON  
JACQUELYNE BAKER ROBERSON

Debtors

Case No: 13-42021-RFN

Prehearing Date: December 27, 2013

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NOTICE OF PRE-HEARING CONFERENCE AND  
HEARING ON "TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS,  
OBJECTION TO CLAIMS, AND PLAN MODIFICATION (IF REQUIRED)"

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TO ALL PARTIES IN INTEREST:

A Pre-Hearing Conference with the Chapter 13 Trustee concerning the attached Trustee's Recommendation Concerning Claims, Objection to Claims, and Plan Modification (if required)("TRCC") will be held at **9:00 AM** on **December 27, 2013** at 6100 Western Place Dr, Suite 550, Fort Worth, TX 76107.

If any objections to the Pleadings are not resolved or defaulted at the Trustee's Pre-hearing Conference then this matter will be called at the docket call to be held at **8:30 AM** on **January 02, 2014** at 204 U.S. Courthouse, 10th and Lamar Streets, Fort Worth, TX, with the hearing on the matter immediately following the conclusion of the docket call.

Pursuant to General Order 2010-01 Section 8(c), unless an objection is timely filed as to the treatment of any claim or modification, the claim or modification will be allowed or approved as described in the TRCC and such treatment will be final and binding on all parties, unless Section 502j of the Bankruptcy Code applies.

TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, FILED WITH THE COURT, AND A COPY SERVED ON THE FOLLOWING PARTIES NO LATER THAN DECEMBER 20, 2013.

DEBTORS: DAVID LARAY ROBERSON & JACQUELYNE BAKER ROBERSON, 1314 Beacon Hill Dr, Midlothian, TX 76065  
ATTORNEY: SWINDELL AND ASSOCIATES PC, 6850 MANHATTAN BLVD STE 250, FT WORTH, TX 76120  
COURT: CLERK'S OFFICE, US BANKRUPTCY COURT, 128 U.S. COURTHOUSE, 10TH & LAMAR ST, FT. WORTH, TX 76102  
TRUSTEE: TRUSTEE'S OFFICE, 6100 Western Place, Ste 1050, Ft. Worth, TX 76107

/s/ Pam Bassel

Pam Bassel, Trustee/State Bar # 01344800

DAVID LARAY ROBERSON & JACQUELYNE BAKER ROBERSON  
Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required)

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the "Notice of Pre-Hearing Conference and Hearing on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required)" and that a copy of the "Trustee's Recommendation Concerning Claims, Objection to Claims, and Plan Modification (if required)" was served on the following parties at the address listed below by the United States First Class Mail or via electronic mail.

/s/ Pam Bassel

DEBTORS: DAVID LARAY ROBERSON & JACQUELYNE BAKER ROBERSON, 1314 Beacon Hill Dr, Midlothian, TX 76065  
ATTORNEY: SWINDELL AND ASSOCIATES PC, 6850 MANHATTAN BLVD STE 250, FT WORTH, TX 76120

CREDITORS:

AARONS, 1351 N HWY 287, MANSFIELD, TX 76063  
AMERICAN INFOSOURCE LP, PO BOX 248838, OKLAHOMA CITY, OK 73124  
ANH P NGUYEN, 550 WESTCOTT STE 560, HOUSTON, TX 77007-0000  
AT&T, PO BOX 630060, DALLAS, TX 75263\*\*\*  
BASS & ASSOCIATES, 3936 E FT LOWELL RD STE 200, TUCSON, AZ 85712-0000  
CAPITAL ONE, PO BOX 30285, SALT LAKE CITY, UT 84130  
CARRINGTON MORTGAGE SERVICES LLC, 1610 E SAINT ANDREWS PLACE STE B150, SANTA ANA, CA 92705-0000  
CB OF HUDSON VALLEY, 155 N PLANK RD, NEWBURG, NY 12550-0000  
CITIBANK USA, PO BOX 20363, KANSAS CITY, MO 64195-0000  
CITY OF DALLAS PARKING, 1500 MARILLA, DALLAS, TX 75201-0000  
CREDIT SERVICES, 390 PRINTERS WAY PKWY, COLORADO SPRINGS, CO 60910-0000  
CREDIT SYSTEMS INTL INC, 1277 COUNTRY CLUB LN, FORT WORTH, TX 76112-0000  
DIRECT TV, PO BOX 78626, PHOENIX, AZ 85062  
DIRECTV, 2230 E IMPERIAL HWY, EL SEGUNDO, CA 90245-0000  
EDWARD SLOAN & ASSOCIATES JJ, PO BOX 788, WINNSBORO, TX 75494-0000  
ELLIS COUNTY, TAX ASSESSOR/COLLECTOR, PO BOX DRAWER 188, WAXAHACHIE, TX 75168-0000  
EOS CCA, PO BOX 806, NORWELL, MA 02061-0000  
FIRST NATIONAL COLLECTION BUREAU, 3631 WARREN WAY, RENO, NV 89509-0000\*\*\*  
FORD MOTOR CREDIT CORPORATION LLC, PO BOX 6275, DEARBORN, MI 49519-0000  
GARYS USED CARS, 5515 SINGLETON BLVD, DALLAS, TX 75212-0000  
HSBC, PO BOX 5213, CAROL STREAM, IL 60197  
INTERNAL REVENUE SERVICE, PO BOX 7346, PHILADELPHIA, PA 19101  
INTERNAL REVENUE SERVICE, PO BOX 7317, PHILADELPHIA, PA 19101  
IRVING ORTHOPEDICS & SPORTS ME, 2120 N MACARTHUR BLVD STE 100, IRVING, TX 75061  
LINEBARGER GOGGAN BLAIR SIMPSON ET AL, 2323 BRYAN ST STE 1600, DALLAS, TX 75201  
LVNV FUNDING LLC, RESURGENT CAPITAL SERVICES, PO BOX 10587, GREENVILLE, SC 29603  
NTTA - LEGAL SERVICES, PO BOX 260928, PLANO, TX 75026  
OCWEN LOAN SERVICING, ATTN PAYMENT PROCESSING, 3451 HAMMOND AVE, WATERLOO, IA 50702-0000  
OCWEN LOAN SERVICING LLC, ATTN: BANKRUPTCY DEPARTMENT, 1100 VIRGINIA DR, FORT WASHINGTON, PA 19034-0000  
OSEETHA CAPITAL LLC, C/O CB OF THE HUDSON VALLEY, 155 N PLANK RD, NEWBURGH, NY 12550-0000  
PERDUE BRACKETT FLORES UTT & BURNS, JV, C/O PBFC&M, LLP, 4025 WOODLAND PARK BLVD STE 300, ARLINGTON, TX 76013  
PITE DUNCAN, 4375 JUTLAND DR STE 200, PO BOX 17933, SAN DIEGO, CA 92117  
PRA RECEIVABLES MGMT, LLC, PO BOX 12907, NORFOLK, VA 23541-0000  
PRA RECEIVABLES MGMT. LLC, PO BOX 41067, NORFOLK, VA 23541-0000  
RECEIVABLE MANAGEMENT INC, 107 W RANDOL MILL RD, ARLINGTON, TX 76011-0000  
REDBIRD SQUARE ENDOSCOPY, 7929 BROOKRIVER DR #300, DALLAS, TX 75247-0000\*\*\*  
RHONDA WHEELER, 26 GLENDA DR, YUKON, OK 73099-0000\*\*\*

CASE NO: 13-42021-RFN  
DAVID LARAY ROBERSON & JACQUELYNE BAKER ROBERSON  
Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required)

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CREDITORS: (cont'd.)

SANTANDER CONSUMER USA, PO BOX 560284, DALLAS, TX 75356

SANTANDER CONSUMER USA, PO BOX 961245, FORT WORTH, TX 76161-0000

SOUTHWESTERN BELL TELEPHONE, C/O AT&T SERVICES, ONE AT&T WAY ROOM 3A231, BEDMINSTER, NJ 07921-0000

TARRANT COUNTY TAX COLLECTOR, DELINQUENT TAX DEPARTMENT, 100 E WEATHERFORD ST, FORT WORTH, TX 76196

UNITED CONSUMER FINANCIAL SERVICES, 865 BASSETT RD, WESTLAKE, OH 44145-0000

US BANK NATIONAL ASSN/GMAC MORTGAGE, ATTN: PAYMENT PROCESSING, 3451 HAMMOND AVE, WATERLOO, IA 50702-0000

US DEPARTMENT OF EDUCATION, NATIONAL PAYMENT CENTER, PO BOX 105028, ATLANTA, GA 30348

US DEPARTMENT OF EDUCATION, PO BOX 16448, ST PAUL, MN 55116

WELLS FARGO, PO BOX 60510, LOS ANGELES, CA 90060

WESTGATE, 2801 OLD WINTER GARDEN, OCOEE, FL 34761-0000

XEROX STATE AND LOCAL SO, 1835 MARKET ST STE 900, PHILADELPHIA, PA 19103-0000

\*\*\*Address on record invalid for recipient -- no document mailed to this party.

Date: November 14, 2013

By: /s/ Pam Bassel

DAVID LARAY ROBERSON & JACQUELYNE BAKER ROBERSON  
Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required)

Pam Bassel  
Chapter 13 Standing Trustee  
6100 Western Place, Ste 1050  
Ft. Worth, TX 76107  
Telephone: (817) 916-4710  
Facsimile: (817) 916-4770

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FOR THE NORTHERN DISTRICT OF TEXAS  
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IN RE: DAVID LARAY ROBERSON  
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Case No: 13-42021-RFN

Debtors

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO  
CLAIMS AND PLAN MODIFICATION (IF REQUIRED)**

The Trustee hereby objects to and/or recommends allowance or disallowance of the following claims for the reason(s) indicated, pursuant to Bankruptcy Rule 3007:

I.

**OBJECTION - NO PROOF OF CLAIM FILED**

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf as required by Bankruptcy Rule 3002(a). The "bar date" for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED, and not be paid by the Trustee:

<u>T'EE #</u>	<u>CREDITOR'S NAME</u>	<u>SCHED CLASS</u>	<u>SCHED AMOUNT</u>
10	AARONS	UNSECURED	\$0.00
5	CARRINGTON MORTGAGE SERVICES LLC	HOME MORTGAGE ARREARAGE	\$4,000.00
6	CARRINGTON MORTGAGE SERVICES LLC	SECURED	\$26,004.00
28	CITIBANK USA	UNSECURED	\$1,075.00
15	CREDIT SERVICES	UNSECURED	\$402.00
16	CREDIT SERVICES	UNSECURED	\$224.00
17	CREDIT SYSTEMS INTL INC	UNSECURED	\$1,772.00
19	FORD MOTOR CREDIT CORPORATION LLC	UNSECURED	\$27,412.00
20	HSBC	UNSECURED	\$1,769.00
21	IRVING ORTHOPEDICS & SPORTS ME	UNSECURED	\$984.00
22	NTTA - LEGAL SERVICES	UNSECURED	\$0.00
23	REDBIRD SQUARE ENDOSCOPY	UNSECURED	\$212.00
24	REDBIRD SQUARE ENDOSCOPY	UNSECURED	\$209.00
1	RHONDA WHEELER	DSO	\$0.00
26	WELLS FARGO	UNSECURED	\$19,688.00
27	WESTGATE	UNSECURED	\$0.00

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**II-A.**

**OBJECTION - DUPLICATE CLAIMS**

The Trustee hereby objects to the following claims as they appear to be duplicates of other filed claims, but were not filed as amended or supplemental claims. Therefore these claims should be DISALLOWED, and not paid by the Trustee:

<u>CLAIM #</u>	<u>CREDITOR'S NAME</u>	<u>CLAIM AMOUNT</u>	<u>AMOUNT</u>	<u>CLASS (S,P,U)</u>
*** NONE ****				

**II-B.**

**OBJECTION - FILED IN WRONG CASE**

The Trustee hereby objects to the following claims as they appear to have been filed in the wrong case. Therefore these claims should be DISALLOWED, and not paid by the Trustee:

<u>CLAIM #</u>	<u>CREDITOR'S NAME</u>	<u>CLAIM AMOUNT</u>	<u>AMOUNT</u>	<u>CLASS (S,P,U)</u>
*** NONE ****				

**III.**

**TRUSTEE'S RECOMMENDATIONS CONCERNING CLAIMS**

The Trustee hereby recommends the ALLOWANCE or DISALLOWANCE of the following claims for the amount(s) and in the class(es) as listed below: (NOTE: Value of collateral, treatment under the Plan and interest rate were determined at confirmation. "Value" and "Treatment" are shown below for information only.)

<u>CLAIM#</u>	<u>SECURED CREDITORS</u>	<u>COLLATERAL</u>	<u>CLAIM</u>	<u>VALUE</u>	<u>INTEREST RATE</u>	<u>*TREATMENT</u>
8	US BANK NATIONAL ASSN/GMAC MORTG 1ST LIEN/HOMESTEAD ARREARS		\$7,857.77	\$120,000.00	0.00%	PRO RATA-TR
8	US BANK NATIONAL ASSN/GMAC MORTG 1ST LIEN/HOMESTEAD		\$108,895.90	\$120,000.00		DIRECT-DR
5	GARYS USED CARS	2005 DODGE MAGNUM	\$6,937.26	\$7,241.88	5.25%	PER MO-TR
1	SANTANDER CONSUMER USA	2005 HONDA ACCORD	\$4,473.89	\$10,000.00	4.25%	PER MO-TR
6	ELLIS COUNTY	HOMESTEAD/13	\$2,709.62	\$0.00	0.00%	NO PROVISION
7	BASS & ASSOCIATES	KIRBY VACUUM	\$225.00	\$0.00	0.00%	NO PROVISION
8	US BANK NATIONAL ASSN/GMAC MORTG SUPPLEMENTAL/BNK-POC FEES		\$425.00	\$120,000.00		NOT PROVIDED

<u>CLAIM#</u>	<u>PRIORITY</u>	<u>CLAIM</u>	<u>*TREATMENT</u>
3	INTERNAL REVENUE SERVICE	\$14,392.43	PRO RATA-TR

<u>CLAIM#</u>	<u>UNSECURED</u>	<u>CLAIM</u>	<u>COMMENT</u>
4	SOUTHWESTERN BELL TELEPHONE	\$186.06	
11	LVNV FUNDING LLC	\$697.26	
10	CITY OF DALLAS PARKING	\$100.00	
2	OSEETHA CAPITAL LLC	\$1,547.11	
13	DIRECTV	\$468.16	
7	BASS & ASSOCIATES	\$188.55	UNSEC PORTION PAYEE #32
3	INTERNAL REVENUE SERVICE	\$10,546.47	TAXES/09

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(cont'd.)

<u>CLAIM#</u>	<u>UNSECURED</u>	<u>CLAIM</u>	<u>COMMENT</u>
9	AMERICAN INFOSOURCE LP	\$221.76	
12	LVNV FUNDING LLC	\$16,904.60	
14	US DEPARTMENT OF EDUCATION	\$5,046.67	STUDENT LOANS

<u>TRUSTEE #</u>	<u>EXECUTORY CONTRACTS</u>	<u>COMMENT</u>	<u>CLAIM</u>	<u>TREATMENT</u>
29	AARONS	CONTRACT REJECTED	\$0.00	SURRENDER

\* Modified through this TRCC

IF THE TRUSTEE'S RECOMMENDATION CONCERNING ANY CLAIM DIFFERS FROM THE AMOUNT INDICATED IN A CREDITOR'S PROOF OF CLAIM, THE RECOMMENDATION IS DEEMED AN OBJECTION TO SUCH CLAIM. UNLESS A TIMELY RESPONSE OR OBJECTION IS FILED CONTESTING THE TRUSTEE'S RECOMMENDATION, THE OBJECTION WILL BE SUSTAINED AND SUCH CLAIM WILL BE ALLOWED ONLY IN THE AMOUNT AND IN THE CLASS INDICATED.

#### IV.

#### PLAN MODIFICATION

##### Modification Details

The following changes will be made to Debtor Payments, Plan Base and/or Plan Term for the reason(s) specified below:

\$600.00 X 10; \$719.00 X 50 FOR A BASE AMOUNT OF \$41,950.00 IN 60 MONTHS.

##### Reason(s) for Modification:

To make the plan sufficient.

To provide for the full claim amount of the pre-petition 1st lien home mortgage arrears. To provide for the full claim amount of the IRS priority claim.

Respectfully submitted,  
Office of the Chapter 13 Trustee, Fort Worth  
/s/ Pam Bassel

Pam Bassel, Trustee  
State Bar # 01344800

Dated: November 14, 2013